

Chafee/Warner Amendment No. 1312, to provide for a continuing designation of a metropolitan planning organization. **Page S1055**

Chafee/Warner Amendment No. 1313, (to language proposed to be stricken by the committee, as modified), of a perfecting nature. **Page S1055**

Chafee/Warner Amendment No. 1314 (to Amendment No. 1313), of a perfecting nature. **Page S1055**

Motion to recommit the bill to the Committee on Environment and Public Works, with instructions. **Page S1055**

Lott Amendment No. 1317 (to instructions of the motion to recommit), to authorize funds for construction of highways, for highway safety programs, and for mass transit programs. **Page S1055**

Lott Amendment No. 1318 (to Amendment No. 1317), to strike the limitation on obligations for administrative expenses. **Page S1055**

Subsequently, the modified committee amendment was further modified to reflect it as an amendment in the nature of a substitute (Amendment No. 1676), and subject to further amendments. **Pages S1055–56**

Measure Returned to Senate Calendar:

Reciprocal Trade Agreement/Fast Track: S. 1269, to establish objectives for negotiating and procedures for implementing certain trade agreements, was displaced upon the adoption of the motion to proceed to consideration of S. 1173, ISTEA Authorization, and was returned to the Senate calendar. **Page S1055**

Appointments:

National Council on the Arts: The Chair, on behalf of the Majority Leader, pursuant to Public Law 105–83, announced the appointment of Senators Sessions and Collins to serve as members of the National Council on the Arts. **Page S1130**

Nominations Confirmed: Senate confirmed the following nominations:

Hiram Arthur Contreras, of Texas, to be United States Marshal for the Southern District of Texas for the term of four years.

Beverly Baldwin Martin, of Georgia, to be United States Attorney for the Middle District of Georgia for the term of four years.

Robert A. Miller, of South Dakota, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2000.

Randall Dean Anderson, of Utah, to be United States Marshal for the District of Utah for the term of four years. **Pages S1131–32**

Nominations Received: Senate received the following nominations:

Edward A. Powell, Jr., of Virginia, to be an Assistant Secretary of Veterans Affairs (Management).

Q. Todd Dickinson, of Pennsylvania, to be Deputy Commissioner of Patents and Trademarks. **Page S1132**

Nomination Withdrawn: Senate received notification of the withdrawal of the following nomination: George Donohue, of Maryland, to be Deputy Administrator of the Federal Aviation Administration, which was sent to the Senate on June 26, 1997. **Page S1132**

Messages From the House: **Page S1068**

Measures Referred: **Page S1068**

Executive Reports of Committees: **Pages S1069–70**

Statements on Introduced Bills: **Pages S1070–81**

Additional Cosponsors: **Pages S1081–82**

Amendments Submitted: **Pages S1082–S1125**

Notices of Hearings: **Page S1125**

Authority for Committees: **Pages S1125–26**

Additional Statements: **Pages S1126–30**

Record Votes: Two record votes were taken today. (Total–17) **Page S1045**

Adjournment: Senate convened at 10 a.m., and adjourned at 6:14 p.m., until 9:30 a.m. on Friday, February 27, 1998. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record, on Page S1132.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS—AGRICULTURE

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, and Related Agencies held hearings on proposed budget estimates for fiscal year 1999 for the Natural Resources Conservation Service of the Department of Agriculture, receiving testimony from James R. Lyons, Under Secretary for Natural Resources and Environment, and Thomas A. Weber, Acting Chief, Natural Resources Conservation Service, both of the Department of Agriculture, who were accompanied by several of his associates.

Subcommittee will meet again on Tuesday, March 3.

APPROPRIATIONS—STATE DEPARTMENT

Committee on Appropriations: Subcommittee on Commerce, Justice, State, and Judiciary, and Related Agencies held hearings on proposed budget estimates

for fiscal year 1999 for the Department of State, receiving testimony from Madeleine K. Albright, Secretary of State.

Subcommittee will meet again on Tuesday, March 3.

APPROPRIATIONS—DEFENSE

Committee on Appropriations: Subcommittee on Defense held hearings on proposed budget estimates for fiscal year 1999 for the Department of Defense, receiving testimony from John J. Hamre, Deputy Secretary of Defense.

Subcommittee will meet again on Wednesday, March 4.

APPROPRIATIONS—CAPITOL POLICE/ SECRETARY OF THE SENATE/CBO

Committee on Appropriations: Subcommittee on the Legislative Branch held hearings on proposed budget estimates for fiscal year 1999, receiving testimony in behalf of funds for their respective activities from Wilson Livingood, House Sergeant at Arms, Gregory S. Casey, Senate Sergeant at Arms, Alan M. Hantman, Architect of the Capitol, and Gary L. Abrecht, Chief of Police, all on behalf of the Capitol Police Board; Gary Sisco, Secretary of the Senate; and June E. O'Neill, Director, Congressional Budget Office.

Subcommittee will meet again on Thursday, March 12.

APPROPRIATIONS—TREASURY

Committee on Appropriations: Subcommittee on the Treasury and General Government held hearings on proposed budget estimates for fiscal year 1999 for law enforcement programs of the Department of the Treasury, receiving testimony from Raymond W. Kelly, Under Secretary for Enforcement, John W. Magaw, Director, Bureau of Alcohol, Tobacco and Firearms, Lewis C. Merletti, Director, United States Secret Service, Samuel Banks, Acting Commissioner, United States Customs Service, Ted F. Brown, Assistant Commissioner for Criminal Investigation, Internal Revenue Service, W. Ralph Basham, Director, Federal Law Enforcement Training Center, and William Baity, Deputy Director, Financial Crimes Enforcement Network, all of the Department of the Treasury.

Subcommittee will meet again on Thursday, March 5.

NOMINATIONS

Committee on Armed Services: Committee ordered favorably reported 1,078 military nominations in the Army, Navy, Marine Corps, and Air Force.

EXPORT PROMOTION

Committee on the Budget: Committee's International Affairs Task Force concluded hearings to examine the success of the National Trade Strategy from the perspective of international affairs funding, after receiving testimony from David L. Aaron, Under Secretary of Commerce for International Trade; JayEtta Z. Hecker, Associate Director, International Relations and Trade Issues, National Security and International Affairs Division, General Accounting Office; and Edmund Rice, Coalition for Employment Through Exports, Inc., Washington, D.C.

GLOBAL TOBACCO SETTLEMENT

Committee on Commerce, Science, and Transportation: Committee resumed hearings to examine the scope and depth of the proposed settlement between States Attorneys Generals and tobacco companies to mandate a total reformation and restructuring of how tobacco products are manufactured, marketed, and distributed in America, focusing on those provisions that would limit the liability of tobacco companies, receiving testimony from Mississippi Attorney General Mike Moore, Jackson; Kansas Attorney General Carla J. Stovall, Topeka; Colorado Attorney General Gale Norton, Denver; Stanley M. Chesley, Waite, Schneider, Bayless & Chesley Co., Cincinnati, Ohio, on behalf of the Castano Plaintiffs Litigation Committee; Eugene I. Pavalon, Chicago, Illinois, on behalf of the Association of Trial Lawyers of America; Kris W. Kobach, University of Missouri at Kansas City School of Law, Kansas City, Missouri; and Richard F. Scruggs, Scruggs, Millette, Lawson, Bozeman & Dent, Pascagoula, Mississippi.

Hearings continue on Tuesday, March 3.

FAA MODERNIZATION

Committee on Commerce, Science, and Transportation: Subcommittee on Aviation concluded hearings to examine the Federal Aviation Administration's plans to replace and upgrade the National Airspace System's equipment and facilities to meet the increase in traffic volume, enhance the margin of air safety, and increase the efficiency of the air traffic control system, focusing on its problems in meeting cost, schedule, and performance goals, after receiving testimony from Jane F. Garvey, Administrator, Federal Aviation Administration, FAA; Gerald L. Dillingham, Associate Director, Transportation Issues, Resources, Community, and Economic Development Division, General Accounting Office; Margaret T. Jenny, US Airways, Arlington, Virginia; and Phil Boyer, Aircraft Owners and Pilots Association, Washington, D.C.

MEDICARE PRIVATE CONTRACTING

Committee on Finance: Committee held hearings on S. 1194, to amend title XVIII of the Social Security Act to clarify the right of medicare beneficiaries to enter into private contracts with physicians and other health care professionals for the provision of health services for which no payment is sought under the medicare program, receiving testimony from Senators Kyl and Durbin; Representative Cardin; Nancy-Ann Min DeParle, Administrator, Health Care Financing Administration, Department of Health and Human Services; Beatrice Braun, Spring Hill, Florida, on behalf of the American Association of Retired Persons; Kent Masterson Brown, United Seniors Association, Inc., Fairfax, Virginia; J. Edward Hill, Tupelo, Mississippi, on behalf of the American Medical Association; and William A. Reynolds, Missoula, Montana, on behalf of the American College of Physicians.

Hearings were recessed subject to call.

U.S. TRADE SANCTIONS IN ASIA

Committee on Foreign Relations: Subcommittee on East Asia and Pacific Affairs held hearings to examine whether unilateral trade sanctions are an effective tool of United States foreign policy in Asia, receiving testimony from Frank D. Kittredge, National Foreign Trade Council, Inc., Ernest H. Preeg, Center for Strategic and International Studies, Ernest Z. Bower, US-ASEAN Business Council, Inc., Arthur T. Downey, Baker Hughes, Incorporated, on behalf of the National Association of Manufacturers, and Douglas H. Paal, Asia Pacific Policy Center, all of Washington, D.C.

Hearings were recessed subject to call.

DRUG CERTIFICATION

Committee on Foreign Relations: Subcommittee on Western Hemisphere, Peace Corps, Narcotics and Terrorism held hearings to examine the effectiveness of the certification process under the Foreign Service Act used by the United States to assess how other nations cooperate in their counternarcotics efforts, receiving testimony from Thomas A. Constantine, Administrator, Drug Enforcement Administration, Department of Justice; John P. Walters, Philanthropy Roundtable, Washington, D.C.; Richard B. Craig, Kent State University, Kent, Ohio; and Rensselaer W. Lee III, Global Advisory Services, McLean, Virginia.

Hearings were recessed subject to call.

MERIT SYSTEM PROTECTION ACT

Committee on Governmental Affairs: Subcommittee on International Security, Proliferation and Federal Services concluded hearings on S. 1495, to strengthen the ability of the Office of Personnel Management to

obtain judicial review of a final order or decision of the Merit Systems Protection Board within 60 days after receiving notice thereof, after receiving testimony from Lorraine Lewis, General Counsel, Office of Personnel Management; David M. Cohen, Director, Commercial Litigation Branch of the Civil Division, Department of Justice; and Robert M. Tobias, National Treasury Employees Union, and Mark D. Roth, American Federation of Government Employees (AFL-CIO), both of Washington, D.C.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

The nominations of M. Margaret McKeown, of Washington, to be United States Circuit Judge for the Ninth Circuit, Thomas J. Umberg, of California, to be Deputy Director for Supply Reduction, Office of National Drug Control Policy, Randall Dean Anderson, to be United States Marshal for the District of Utah, and Robert A. Miller, of South Dakota, to be a Member of the Board of Directors of the State Justice Institute;

H.R. 1534, to simplify and expedite access to the Federal courts for injured parties whose rights and privileges, secured by the United States Constitution, have been deprived by final actions of Federal agencies, or other government officials or entities acting under color of State law; to prevent Federal courts from abstaining from exercising Federal jurisdiction in actions where no State law claim is alleged; to permit certification of unsettled State law questions that are essential to resolving Federal claims arising under the Constitution; and to clarify when government action is sufficiently final to ripen certain Federal claims arising under the Constitution, with an amendment in the nature of a substitute;

S. 1605, to establish a matching grant program to help States, units of local government, and Indian tribes to purchase armor vests for use by law enforcement officers, with an amendment;

S. 1244, to amend Federal bankruptcy law with respect to avoidance by the trustee in bankruptcy of fraudulent transfers and obligations to cite circumstances under which a transfer of a charitable contribution to a qualified religious or charitable unit shall not be considered to be fraudulent, and to prohibit the trustee from avoiding such charitable contributions when acting as lien creditors and successor to certain creditor and purchasers, with an amendment in the nature of a substitute; and

S. Res. 181, expressing the sense of the Senate that on March 2, every child in America should be in the company of someone who will read to him or her.

ANTITRUST OVERSIGHT

Committee on the Judiciary: Subcommittee on Antitrust, Business Rights and Competition held oversight hearings to review the state of antitrust enforcement within the Antitrust Division of the Department of Justice, and proposals to improve international antitrust enforcement, including increasing criminal fines for corporate price-fixing conspiracies, receiving testimony from Joel I. Klein, Assistant Attorney General, Antitrust Division, Department of Justice.

Subcommittee will meet again on Wednesday, March 4.

MEDICAL CONFIDENTIALITY

Committee on Labor and Human Resources: Committee concluded hearings on proposed legislation to protect the confidentiality of medical information, including S. 1368, to provide individuals with access to health information of which they are the subject, ensure personal privacy with respect to personal medical records and health care-related information, impose criminal and civil penalties for unauthorized use of personal health information, and to provide for the strong enforcement of these rights, after receiving testimony from Senators Bennett and Leahy; Kathleen Sebelius, Kansas Department of Insurance, Topeka, on behalf of the National Association of Insurance Commissioners; Janlori Goldman, Georgetown University Medical Center, and Christine Brunswick,

National Breast Cancer Coalition, both of Washington, D.C.; Michael L. Rhodes, Intermountain Health Care, Salt Lake City, Utah; and Bonnie Rogers, Chapel Hill, North Carolina, on behalf of the American Association of Occupational Health Nurses.

TRIBAL PRIORITY ALLOCATIONS

Committee on Indian Affairs: Committee concluded oversight hearings to examine Tribal Priority Allocation funding as contained in the President's proposed budget request for fiscal year 1999 for the Bureau of Indian Affairs, Department of the Interior, after receiving testimony from Kevin Gover, Assistant Secretary of the Interior for Indian Affairs; John Washakie, Eastern Shoshone Tribe of the Wind River Reservation, Fort Washakie, Wyoming, on behalf of the Shoshone Business Council; Andrew L. Othole, Pueblo of Zuni, Zuni, New Mexico; Edward K. Thomas, Central Council of Tlingit and Haida Indian Tribes of Alaska, Juneau; Bernida Churchill, Mille Lacs Band of Ojibwe Indians, Onamia, Minnesota; and James T. Martin, United South and Eastern Tribes, Inc., Nashville, Tennessee.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee will meet again on Wednesday, March 4.

House of Representatives

Chamber Action

Bills Introduced: 22 public bills, H.R. 3279–3300; 12 resolutions, H.J. Res. 111–112, H. Con. Res. 225–230, and H. Res. 370–373 were introduced.

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Reports Filed: No reports were filed today.

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Collins to act as Speaker pro tempore for today.

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Wireless Telephone Protection Act: The House passed H.R. 2460, to amend title 18, United States Code, with respect to scanning receivers and similar devices, by a yea and nay vote of 414 yeas to 1 nay, Roll No. 25. Pursuant to the rule, the House passed S. 493, a similar Senate-passed bill, after striking all after the enacting clause and inserting in lieu thereof

the text of H.R. 2460. Agreed to amend the title; and H.R. 2460 was then laid on the table.

Pages H636–45

Agreed to the McCollum amendment in the nature of a substitute that clarifies that only devices that can insert or modify telecommunication identifying information are prohibited; includes an asset forfeiture provision; allows third parties who have a business relationship with a telecommunications carrier to possess the devices for legitimate business use; and creates an affirmative defense to prosecution for those engaged in research or development in connection with a lawful purpose.

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Earlier, agreed to H. Res. 368, the rule that provided for consideration of the bill by a voice vote.

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